



MAR 29 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D C 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/043.774	01/10/2002	Sharma	MBHB02-0013

20306  
MCDONNELL BOEHNNEN HULBERT & BERGHOFF  
300 SOUTH WACKER DRIVE  
SUITE 3200  
CHICAGO, IL 60606

CONFIRMATION NO. 7559

## FORMALITIES LETTER



\*QC000000007506287\*

Date Mailed: 02/21/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

**FILED UNDER 37 CFR 1.53(b)**

**Filing Date Granted**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)) Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be

04/02/2002 BNGUYEN1 00000038 10043774

65.00 00

01 FC:205

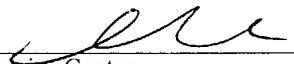
identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

---

*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. MBHB02-013)

In the Application of:	)	
	)	
Sharma, et al.	)	Before the Examiner:
	)	
Serial No.	)	
10/043,774	)	Group Art Unit: 1645
	)	
Filing Date:	)	
January 10, 2002	)	
	)	
For:	)	Confirmation No.: 7559
Human Hematopoietic Growth	)	
Regulatory Gene and Uses	)	

**TRANSMITTAL LETTER**

Box MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

In regard to the above-identified application:

1. We are transmitting herewith the attached
  - a. Response to Notice to File Missing Parts of Nonprovisional Application
  - b. Copy of the Notice to File Missing Parts
  - c. Executed copy of Oath or Declaration
  - d. Verified Statement Under 37 CFR 1.821(f)
  - e. Diskette with computer readable form of the sequence listing
  - f. Thirteen (13) sheets substitute drawings
  - g. Return Receipt Postcard
2. With respect to additional fees:
  - a. An additional fee of \$65.00 is required.
3. A check in the amount of \$65.00 is enclosed.
4. Please charge any deficiency in the amount due, or credit any overpayment, to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
5. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as "First Class Mail" in an envelope addressed to: Box MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231, on this 14<sup>th</sup> day of March, 2002.

By:

Kevin E. Noonan  
Reg. No. 35,303

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. MBHB02-013)

Application of: )  
Sharma, et al. )  
Before the Examiner: )  
Serial No. 10/043,774 )  
Group Art Unit: 1645 )  
Filing Date: January 10, 2002 )  
For: Human Hematopoietic Growth )  
Regulatory Gene and Uses )  
Confirmation No.: 7559

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION MAILED FEBRUARY 22, 2002**

Box MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application, mailed February 22, 2002, Applicants submit herewith an executed copy of their Declaration, pursuant to 37 C.F.R. 1.63.

Also submitted herewith are thirteen (13) sheets of substitute drawings in compliance with 37 CFR 1.84.

Finally, as required by 37 CFR 1.825(d), a substitute computer readable form of the sequence listing is attached, along with a verified statement under 37 CFR 1.821(f).

A check in the amount of \$65.00, in payment of the oath or declaration surcharge, accompanies this Response.

Respectfully submitted,  
**McDonnell Boehnen Hulbert & Berghoff**

Date: March 25, 2002

By:

Kevin E. Noonan  
Reg. No. 35,303